



**California Department of  
Pesticide Regulation**

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WHAT YOU NEED TO KNOW

# about

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION

## A Better Way to Protect Ground Water

The California Department of Pesticide Regulation (DPR) is committed to solving water quality problems caused by pesticide contamination of ground water, using sound scientific standards and reasonable regulations.

In 1985, the Pesticide Contamination Prevention Act gave DPR a mandate to monitor wells for contamination and identify pesticides moving to ground water. To implement the law, we designated pesticide management zones (PMZs) to control use where contamination occurred. Those early efforts helped us understand how, where, and why some areas were more vulnerable to ground water contamination. Using this extensive data and other information, our scientists created a sophisticated computer model that shows where regulatory action can effectively prevent contamination. It identifies soil, climate and depth-to-ground-water combinations that can threaten ground water quality.

Using this information, DPR is proposing a more proactive, science-based program to protect ground water by emphasizing designation of vulnerable areas and preventing contamination in those areas.

### Why change the current program?

Our mandate under the Pesticide Contamination Prevention Act is *preventing* ground water contamination caused by agricultural use of pesticides. The current program is not effective. It only requires actions *after* contamination has occurred. The restrictions we have imposed along with special training of pest control advisers have not met the intent of the law. Use practices have not changed enough to prevent recurring problems. We

continue to find known contaminants (pesticides already detected in ground water) in new areas we sample. The existing regulations include prohibitions and requirements which are not only unnecessary but add to grower costs without protecting water quality.

Also, we have a better understanding of pesticide behaviour now, and that gives us the ability to craft workable pollution prevention measures. Most pesticides found in ground water are soil-applied herbicides, and we know now that prevention measures depend on the source and pathway of contamination.

### What do you plan to do?

To better carry out our mandate, we are revising the regulations. We intend to eliminate unnecessary requirements and put a new emphasis on designating sensitive areas to prevent contamination in the first place and minimize continuing contamination. The new regulations will allow us to classify vulnerable areas as either "runoff" or "leaching" and establish management practices in regulation for each area type. The system will operate within the existing permit process and give pesticide users flexibility to choose from a menu of regulatory options to apply the protection measure that best fits their situation.

When the new system is in place, you won't be able to use contaminant pesticides inside recharge basins and canals and ditches under conditions that favor movement to ground water. There also will be new, statewide controls around wellheads. Wellheads can provide a direct pathway to ground water and we want to prevent that.

**DPR is proposing a more proactive, science-based program to protect ground water by emphasizing designation of vulnerable areas and preventing contamination in those areas.**

### **Will all pesticide use be regulated?**

No, only pesticides already proven a problem, that is, those already found in ground water due to legal agricultural use. Right now, there are seven of these pesticides, listed in regulation (on what is called the 6800[a] list):

- Atrazine (Aatrex)
- Simazine (Princep)
- Bromacil (Krovar, Hyvar)
- Diuron (Karmex, Krovar)
- Prometon (Pramitol)
- Bentazon (Basagran)
- Norflurazon (Solicam, Predict, Zorial)

### **What will I have to do to use these pesticides?**

Permits will be needed to use any of the 6800(a) pesticides in a designated ground water protection area (GWPA). Pesticide users must choose a "use requirement" option (one of several management practices) that will be specified in the regulations. Management practices will vary based on whether the area is vulnerable to leaching or runoff. The option chosen will be spelled out on and enforced as part of the permit. Other requirements will apply if pesticides are applied to certain rights-of-way inside GWPAs, and to artificial recharge basins, canals and ditch banks, both inside and outside of GWPAs.

### **What are ground water protection areas (GWPAs)?**

We have found that specific combinations of climate, soil type, and depth to ground water are common to areas where pesticides have been found in ground water due to legal (that is, routine) agricultural use. A GWPA is a geographically defined area that is vulnerable to pesticide contamination, either by leaching or runoff. GWPAs will include all existing pesticide management zones, plus other areas based on specified soil types and a depth to ground water of 70 feet or less, encompassing almost eight times more area.

### **What will happen to pesticide management zones (PMZs)?**

To better protect vulnerable areas, we are replacing the scattered groupings of PMZs (where use of certain pesticides has been prohibited or restricted) with broader geographical areas, the GWPAs.

### **How do I find out whether the field I want to treat is in a GWPA?**

That information is available on DPR's Web site, [www.cdpr.ca.gov](http://www.cdpr.ca.gov) (click on "Programs and

Services" button, then on "Ground Water Protection Program"). The County Agricultural Commissioners also have access to this information.

### **What if the management practices aren't feasible in my area?**

Growers, registrants, and others will have the opportunity to request that DPR approve other, effective management practices that may be more suitable to their cultural practices or farming techniques while those practices are being adopted into regulation. If no feasible alternatives exist to the current practices, you can formally request DPR allow interim use of the pesticide for three years, provided you initiate studies to develop suitable alternative management practices.

### **If I want to use these pesticides outside a GWPA, are there restrictions?**

Yes. All use requirements for artificial recharge basins, canals and ditch banks, and wellhead protection apply statewide. But leaching and runoff use requirements only apply within leaching and runoff GWPAs. Of course, all label restrictions still apply.

### **Under the old rules, use of some pesticides was prohibited in PMZs and there were training and other requirements. Will those still be in effect?**

No. In addition to eliminating PMZs, the proposed regulations would do away with:

- Current mandatory use prohibitions in sensitive areas.
- Ground water protection advisories.
- Mandatory ground water protection training for PCAs.
- Statements that purchasers of a 6800(a) pesticide have to give dealers about whether the pesticide will be used in its PMZs.

### **What is the timetable for the new regulations?**

We plan to notice them for public comment early in 2003 and expect them to be in effect later in the year. Once they are noticed, they will be available for review on our Web site, [www.cdpr.ca.gov](http://www.cdpr.ca.gov) (click on the "Laws and Regulations" button). You can submit written comments via the Web site or by mail.

### **Where can I get more information?**

Contact Mark Pepple at (916) 324-4086 or via E-mail at [mpepple@cdpr.ca.gov](mailto:mpepple@cdpr.ca.gov).